

REMARKS:

- 1) Applicants are electing method claims 1 to 18 for examination in this application. This requirement is respectfully traversed because the method cannot be practiced by another apparatus and the apparatus cannot be used for practicing another method. This is so because the claimed method step of "anodically oxidizing" cannot be performed, for example, by a heater, it requires anodic oxidizer (9) as expressly claimed in apparatus claim 19. Apparatus claim 19 is not limited to a boat, train, car or mobile home as listed on page 2, second paragraph of the Office Action. Thus, it is respectfully submitted that the two independent claims 1 and 19 are commensurate to each other. The method steps of claim 1 define exactly the operation of the apparatus and the apparatus claim 19 defines exactly the elements necessary for performing the method steps. Withdrawal of the restriction between apparatus and method claims is respectfully requested.
- 2) Applicants elect the Species of claim 18 (Species L4) for examination. The following claims read on Species L4: claim 18, and claim 27 (added with this amendment). Claim 27 is supported by the original disclosure at page 5, line 12 to page 6, line 5. Both, claims 18 and 27 refer to a high filling level control signal and a low filling level control signal. Therefore, claim 27 does not rise to a separate Species as contemplated in the Restriction Requirement which states that the disclosure in the specification at page 5, line 12 to page 6, line 5 relates to "species L1". Applicants consider the Species L1 and L4 a single Species for the reason set forth above.
- 3) Applicants elect the Species P2. Claim 21 referring to the piston pump reads on Species P2.

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- 4) The amendments in the specification and claims are of an editorial nature not amounting to new matter. Added claim 26 is supported by original claim 10. Added claim 27 is supported, as stated above, by the original specification at page 5, line 12 to page 6, line 5.
- 5) It is respectfully requested that the Examiner acknowledge the following:
- (a) the priority claim based on corresponding German Serial Number DE 102 29 799.1, filed July 3, 2002;
  - (b) the receipt of the Priority Document DE 102 29 799.1; and
  - (c) the Information Disclosure Statement dated July 3, 2003.
- 6) Favorable consideration and allowance of the application, including all present claims 1 to 27, are respectfully requested.

Respectfully submitted,

Claus HOFFJANN et al.  
Applicant

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Enclosures:  
Form PTO-2038,  
Term Extension

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CERTIFICATE OF FAX TRANSMISSION:

I hereby certify that this correspondence with all indicated enclosures is being transmitted by telefax to (703) 872-9306 on the date indicated below, and is addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

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